



Order Filed on April 1, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE

CHERUBIN VINCENT,

Debtor.

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Chapter 13

Case No.: 23-10733

Judge: John K. Sherwood

Hearing Date: March 28, 2024

**ORDER RE: DEBTOR'S MOTION FOR AN ORDER CONFIRMING AUTOMATIC
STAY DOES NOT PROHIBIT HIM FROM FILING A RELATED ADVERSARY
COMPLAINT AGAINST UNSECURED CREDITOR FRESHSTART AND RELATED
COMPANIES AND OFFICERS FOR VIOLATION OF NEW YORK GENERAL
BUSINESS LAW § 349 AND NEW JERSEY CONSUMER FRAUD ACT**

The relief set forth on the following page is hereby **ORDERED**.

DATED: April 1, 2024

A handwritten signature in black ink, appearing to read "J K Sherwood", is written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

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Case: Cherubin Vincent, Case No. 23-10733

Order: Order Re: Debtor's Motion for an Order Confirming Automatic Stay Does Not Prohibit Him From Filing a Related Adversary Complaint Against Unsecured Creditor FreshStart and Related Companies and Officers for Violation of New York General Business Law § 349 and New Jersey Consumer Fraud Act

THIS MATTER having been opened to the Court upon the motion of Anthony Scordo, attorney for Debtor Cherubin Vincent, for an order confirming automatic stay does not prohibit him from filing a related adversary complaint against unsecured creditor FreshStart Venture Capital Corp. and related companies and officers for violation of New York General Business Law §349 and NJ Consumer Fraud Act [ECF No. 72];

AND the Court having held a hearing on the Motion on March 28, 2024;

AND, as the Court stated on the record at the hearing, the automatic stay does not prevent debtors from commencing adversary proceedings, *see* 11 U.S.C. § 362;

IT IS, therefore, **ORDERED** that the motion is denied.